Human Rights in Education for Sustainable Development

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The 1986 United Nations (UN) Declaration on the Right to Development\(^1\) constitutes a milestone in the human rights-development field. It provides a clearer basis for linking development with human rights. It recognizes development as a right – an inalienable human right. The concept that people are both beneficiary and active participant in the development process fits the development approach of many non-governmental organizations (NGOs). The idea of the exercise of the right to self-determination being clearly linked to an effective exercise of control over a country’s natural resources makes the argument for community-based natural resource management scheme stronger. The right to development concept brings human rights closer to the issues that many marginalized communities are faced with.

The basic principle that all human rights and fundamental freedoms can be fully realized in the context of total development covering economic, social, cultural and political spheres brings the common ground between human rights and development to the fore.

A few months later, the Brundtlandt Report\(^2\) came out that elicited very positive reaction from those working at the grassroots level. The idea of sustainable development provides the framework for the interplay of the people-centered development, the realization of human rights, and the protection of the environment. While many cases affecting communities of people in the so-called rural areas violate all of them – people-centered development, human rights, and environmental integrity – the link between them have hardly been given much focus. What seems to be clear in the cases of indigenous peoples prohibited from using the forest (which forms part of their ancestral domain), of rural communities displaced by dams and other infrastructural projects, of urban slum dwellers evicted from public land is the problem of unsustainable development. The Brundtlandt Report provides a way to address this common concern. Social development advocates now cite human rights to protect disadvantaged communities. Some environment advocates now insist on social development and human rights realization as keys to protecting the environment.

The right to development complements the concept of sustainable development.

These ground-level movements gave rise to the need to mainstream the concept of sustainable development in all government policies and programs.

The promotion of education for sustainable development is a key opportunity in continuing the mainstreaming of the concept of sustainable development in the government system.

**Context**

\(^1\) Paper prepared for the UNESCO Expert Meeting on ESD: “Reorienting Education to Address Sustainability” (1-3 May 2006, Thailand).
The decade of the 1990s seems to be a period of education reform. Countries that opened up to market economics saw the need to redirect the education system towards supporting this change. *Doi moi* in Vietnam has created new emphasis on language (particularly English) and information technology in the education curriculum. Other countries simply realized the need to remain or become competitive by “going back to the basics” of mathematics, science, language, and information technology as core components of the school curriculum. Most countries saw the need to upgrade the education system to fit into the increasingly globalized environment.

This situation led some parents to think that it is best that their children learn with English as the medium of instruction. While many parents may not hold the same view, learning English as a subject is no longer a matter of government policy but an expected educational goal among increasing number of parents.

The decade of the 1990s is also known for the series of global conferences that started with the 1992 Rio conference on environment and development. These global conferences highlighted issues relating to human rights, particularly those affecting specific sectors (such as women and children), and issues (such as health, population, habitat and environment). Among these conferences, the 1993 World Conference on Human Rights (Vienna) led to significant results such as the establishment of the Office of the High Commissioner for Human Rights, and the adoption of the UN Decade for Human Rights Education (1995-2004). At the national level, the Vienna conference is considered to have pushed the establishment of national human rights institutions as well as adoption of national human rights action plans in several countries in Asia-Pacific.

These world conferences helped make human rights more interesting to the mass media. People might have “known” human rights with the mass media as the likely source of knowledge. Popular conception of human rights is not, however, necessarily equivalent to a proper understanding of human rights. Time and again, we hear those engaged in human rights education lamenting people’s negative perceptions of human rights. People may equate human rights with cases of violence such as torture and extra-judicial execution, and fail to see human rights in daily life situations. Human rights may be seen by teachers as reason for indiscipline and loss of their authority. Government officials may see human rights simply as excuses for the political act of opposing the government.

The rise of people’s participation mainly through the so-called civil society put governments on the defensive. Everyone has an agenda to lobby governments with - from gender to environmental causes. Governments were expected to please all groups by agreeing to their demands in some ways. In the field of education, this policy statement says it all:

The integration of these “educations” into the school curriculum is the main approach taken by countries in the region. But with the emphasis on learning knowledge and skills needed in a highly competitive globalized economic system - translated into “leaner” school curriculum - there is a challenge posed on those who pursue “educations” that do not fall within the core learning areas of the school curriculums. They need to find out how the integration of these “educations” is done in terms of content, teaching/learning materials, and year levels covered.

**Human rights education**

Human rights education has been formally adopted by some countries in the Asia-Pacific region through human rights/human rights education national action plans (developed either by governments or the government-established national human rights institutions). There are also countries implementing programs and projects related to human rights education, with support from international institutions, such as education on child rights, gender, and rights of people with disabilities.

Some governments see human rights education as part of existing education programs such as the following:
- Civic education (Vietnam, Malaysia)
- Moral studies (Indonesia, Malaysia, Pakistan)
- Legal education (Philippines, China)
- Religious education (Malaysia, Pakistan)
- Values education (Thailand, Philippines, India, Fiji, South Korea)
- Peace education (Thailand, South Korea, Philippines)
- Gender and Development education (Philippines)

While these educations are important, they may not necessarily lead to learning human rights. If the stress is only on the concept of duty or obligation as good citizens or members of family and society, the concept of rights is likely ignored. On the other hand, a stress on active participation in the affairs of the family and society provides the space for learning about relevant rights. In the same way, learning of values may lead to understanding of human rights if there is a conscious effort to link them.

Under the integration approach, human rights are seen as most appropriate topic in the social sciences subjects (social studies, history, economics) and also in language/literature subjects. In the case of the Philippines, most educators see human rights as appropriate for a learning area called *Makabayan* under which values education is part. In the case of Japan, the so-called synthetic/integrated subject is considered appropriate for human rights education. The Philippine and Japanese curriculums do not foreclose the teaching of human rights in other required learning areas.

A recent 4-country survey provides an “indicative” picture of human rights awareness among students. The survey shows that while education policies supporting human rights education are in place, there is generally weak implementation at the school level. Most schools rely on the already prescribed teaching of constitutional rights, and do not cover international human rights instruments. While students generally know or have
heard of human rights, they do not seem to understand the principles involved such as the universality principle, or do not know how they apply. They are also seemingly confused as to whether human rights are taught as a topic integrated into various subjects in the curriculum, or as separate subject.

An important finding of the research is the difference between students in urban centers (or more advanced schools) and those in rural areas as far as human rights awareness or interest is concerned. Rural students tend to have higher awareness or interest in human rights. A possible explanation is the situation they are in. Rural students tend to witness or probably suffer from the conflicts, injustices and other problems in their daily lives and thus have sharper sense of what could be human rights violations.

The finding in this survey about the gap between knowledge of human rights (however they are defined) and their practice confirms the findings of other human rights awareness surveys. Human rights education faces the main challenge of facilitating acquisition of knowledge, and the development of skills and attitude, on human rights, and their practice at personal and societal levels.

What makes an education human rights education?

Human rights education has been defined and redefined through the years. There are several United Nations (UN) documents defining human rights education. UNESCO itself has several major documents on human rights education issued from the 1970s till 1990s.

In order to have a common framework, it is best to adopt the latest statement of the definition under the UN World Programme for Human Rights Education, whose first phase plan focuses on the formal education system. The first phase plan is jointly being implemented by the Office of the UN High Commissioner for Human Rights and UNESCO. The first phase plan provides the following definition:

human rights education can be defined as education, training and information aiming at building a universal culture of human rights through the sharing of knowledge, imparting of skills and moulding of attitudes directed to:

(a) The strengthening of respect for human rights and fundamental freedoms;
(b) The full development of the human personality and the sense of its dignity;
(c) The promotion of understanding, tolerance, gender equality and friendship among all nations, indigenous peoples and racial, national, ethnic, religious and linguistic groups;
(d) The enabling of all persons to participate effectively in a free and democratic society governed by the rule of law;
(e) The building and maintenance of peace;
(f) The promotion of people-centred sustainable development and social justice.

One notes the overlap between this definition and the definition of education for sustainable development (ESD). Human rights education under this definition covers sustainable development, social justice, peace, gender equality, democracy, etc. One can say that since ESD includes human rights, then ESD is a form of human rights education.
What distinguishes an education as human rights education is the presence of a particular purpose of “strengthening of respect for human rights and fundamental freedoms.” All other elements in the list above can be any other education.

**What to teach and learn**

The first phase plan of WPHRE emphasizes the following components of human rights education.¹⁵

- a. understanding of the basic human rights and their principles
- b. development of an attitude of non-discrimination
- c. development of capacity to analyze problems in order to find solutions
- d. empowerment of communities and individuals
- e. use of human rights principles found in local cultures, history and social development
- f. development of knowledge and skills on using human rights instruments and mechanisms
- g. use of participatory pedagogies
- h. creation of teaching and learning environment that fulfils human rights
- i. making human rights relevant to the daily lives of the students.

As indicated in several surveys on human rights awareness as well experiences in holding human rights education activities, there is a need for a clear understanding of what "rights" and "human rights" mean. This can help correct the oft-repeated view that studying human rights leads to indiscipline, selfish attitude, political activism, and inculcation of negative "western" values. While political activism is not bad per se, many educators see it otherwise. Human rights must be appreciated as a holistic concept addressing the fulfilment of human needs and potentials and the full respect for human dignity. This is the baseline for understanding human rights, which are rooted at our humanity not on particular cultural, political, social or economic characteristics.

Human rights should likewise be appreciated as a modern formulation based on various strands of thinking about human dignity. The formulation has the “root” (human dignity) firmly in place but its “branches” are still growing alongside societal development. We have not seen the last international human rights document. In addition to more than 20 major UN human rights documents, hundreds more are probing into different areas of human concerns and endeavors not only through the UN but through regional and subregional intergovernmental mechanisms.

Asia-Pacific, for example, is at present engaged in evolving its own set of human rights documents. West Asia (through the Arab League) is reviewing its own Arab Charter on Human Rights, South Asia (through the South Asian Association for Regional Cooperation) has adopted in 2002 two major human rights agreements,¹⁶ Southeast Asia (through the Association of Southeast Asian Nations) has adopted declarations and action programs with human rights components,¹⁷ and the Pacific Plan which contains provisions on human rights (and also sustainable development) has been endorsed by the leaders of the Pacific Islands Forum.¹⁸ The subregional human rights initiatives in the Asia-Pacific are grounded on the basic UN human rights instruments. Their value lies in making these UN human rights standards apply more effectively to the particular characteristics of the subregions. It is also possible that there is an attempt
at developing human rights standards higher than those at the current international level. This can be seen in the conclusion of judges and lawyers in a workshop in the Pacific when they say that the

Pacific region has developed distinctive and effective practices for the promotion and protection of human rights in the framework of community life. In particular, the experience of Pacific States in employing traditional means of dispute settlement, including mediation and restorative justice is a rich one and should be integrated into efforts to further promote respect for human rights within all aspects of the administration of justice.¹⁹

This is probably similar to the promotion of the concept of “community right” by the National Human Rights Commission of Thailand to provide “local groups of people with the entitlement to participate in development and to determine their local affairs, including the protection and usage of their local natural resources.” The Chairperson of the Commission explains that “community right” is a “genuinely universal human right since it [is] derived from the basic concept of human rights, i.e., the right to life and livelihood, and the right to self-determination.”²⁰

Thus, it should be clear that regional or subregional formulation of human rights should aim at developing standards higher than the international human rights standards, and never lower that level. It should be clear too that regional or subregional human rights initiatives are not a substitute for ratifying UN human rights instruments.

It would be most interesting to have these subregional initiatives discussed in schools in the Asia-Pacific.

With the numerous documents on human rights, there must be a way to avoid getting lost in the human rights forest.

There is a set of human rights principles that the UN promotes to all peoples and mainstreams in all its programs and activities. The UN has also in recent decade exerted effort to clarify what human rights mean, in view of the different or confused notions of human rights even among UN staff.

Human rights are defined in the following manner:

- **Human rights are inherent entitlements which come to every person as a consequence of being human.**

- **Or**

- Human rights are commonly understood as being those rights which are inherent to the human being. The concept of human rights acknowledges that every single human being is entitled to enjoy his or her human rights without distinction as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.²¹

In relation to sustainable development, the UNDP defines human rights in this way:

- **Human rights are based on respect for the dignity and worth of all human beings and seek to ensure freedom from fear and want. Rooted in ethical principles (and usually inscribed in a country's constitutional and legal framework), human rights are essential to the well-being of every man, woman and child. Premised on fundamental and inviolable standards, they are universal and inalienable.²²**
Two major principles govern human rights: equality and non-discrimination. Equality principle means that all human beings are equal in dignity and rights. (Article 1, Universal Declaration of Human Rights [UDHR]) Non-discrimination principle means that

Everyone is entitled to all … rights and freedoms … without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty. (Article 2, UDHR)

Human rights have the following most important characteristics:

- human rights are founded on respect for the dignity and worth of each person;
- human rights are universal, meaning that they are applied equally and without discrimination to all people;
- human rights are inalienable, in that no one can have his or her human rights taken away other than in specific situations, for example, the right to liberty can be restricted if a person is found guilty of a crime by a court of law;
- human rights are indivisible, interrelated and interdependent, for the reason that it is insufficient to respect some human rights and not others.

The UN explains that in “practice, the violation of one right will often affect the respect of several other rights. All human rights should therefore be seen as having equal importance and of being equally essential to respect for the dignity and worth of every person.”

These characteristics of human rights, particularly the issue of indivisibility, interrelatedness and interdependence of rights, are important in the context of the debate about hierarchy or priority of rights. This can be termed the “rice/roti or rights” debate. It is the view of the UN as well as scholars and human rights workers that there is no either-or situation in human rights. Poverty does not deter the exercise of human rights. The availability of food, for example, may in fact depend on how far human rights are asserted.

It should also be noted that the equality principle does not prevent the recognition of specific set of rights pertaining to particular people who possess specific characteristics. Rather than violate the equality principle, the specific set of rights for particular groups reinforces it. Thus women, children, and migrant workers, have their respective rights set forth in separate human rights instruments. Indigenous peoples, elderly people, and people with disabilities have their rights set forth in declarations, while the discussions on adopting a convention for their rights are still going on.

To illustrate this point, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) provides for the rights of rural women (Article 14 [2]). Rural women have the right

(a) To participate in the elaboration and implementation of development planning at all levels;
(b) To have access to adequate health care facilities, including information, counselling and services in family planning;
(c) To benefit directly from social security programmes;
(d) To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community and extension services, in order to increase their technical proficiency;
(e) To organize self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment or self employment;
(f) To participate in all community activities;
(g) To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;
(h) To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.

The UN notes the differing views on human rights despite the existence of international human rights instruments. It notes that the traditional view that human rights cover only civil and political rights is now challenged. This view is seen as too limited in scope and that a more multidimensional and holistic approach must be taken. Thus to basic civil and political rights are added crucial social, economic and cultural rights, including the right to an adequate standard of living; the right to education; the right to work and to equal pay for equal work; and the right of minorities to enjoy their own culture, religion and language. Of particular importance to this view is the protection and advancement of the rights of disadvantaged and minority groups (such as women, children and indigenous peoples). The United Nations (UN) has adopted this holistic approach in determining what human rights are, and the international community has repeatedly affirmed the interdependence of both sets of rights.26

One can generally refer to the rights listed in the UDHR as basic human rights that should be taught/learned:

<table>
<thead>
<tr>
<th>Civil and Political Rights</th>
<th>Economic, Social and Cultural Rights</th>
</tr>
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<tbody>
<tr>
<td>Right to life, liberty and security of person</td>
<td>Right to social security</td>
</tr>
<tr>
<td>Rights not to be enslaved</td>
<td>Right to work</td>
</tr>
<tr>
<td>Right not to be tortured or cruel, inhuman, or degrading treatment or punishment</td>
<td>Right to rest and leisure</td>
</tr>
<tr>
<td>Right to recognition everywhere as a person before the law</td>
<td>Right to adequate standard of living</td>
</tr>
<tr>
<td>Right to equal protection of the law</td>
<td>Right to education</td>
</tr>
<tr>
<td>Right not to be subjected to arbitrary arrest, detention or exile.</td>
<td>Right freely to participate in the cultural life of the community</td>
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<tr>
<td>Right to an effective remedy by the competent national tribunals for acts violating the fundamental rights</td>
<td></td>
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<tr>
<td>Right to a fair and public hearing by an</td>
<td></td>
</tr>
</tbody>
</table>
As a favorite statement that captures the full range of human rights, provides a vision of society and presents human rights wholesomely, I use this:

*The Progress of Nations*[^27]

The day will come when the progress of nations will be judged not by their military or economic strength, nor by the splendour of their capital cities and public buildings, but by the well-being of their peoples:

- by their levels of health, nutrition and education;
- by their opportunities to earn a fair reward for their labours;
- by their ability to participate in the decisions that affect their lives;
- by the respect that is shown for their civil and political liberties;
- by the provision that is made for those who are vulnerable and disadvantaged; and
- by the protection that is afforded to the growing minds and bodies of their children.

### Human rights documents

A proper reference document for the discussion on human rights is the Universal Declaration of Human Rights (UDHR) which provides an overview of human rights in a less complicated manner.

<table>
<thead>
<tr>
<th>Right to be presumed innocent until proved guilty</th>
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<tbody>
<tr>
<td>Right not to be subjected to arbitrary interference privacy, family, home or correspondence, nor to attacks upon his honour and reputation</td>
</tr>
<tr>
<td>Right to freedom of movement and residence</td>
</tr>
<tr>
<td>Right to seek and to enjoy in other countries asylum from persecution</td>
</tr>
<tr>
<td>Right to a nationality</td>
</tr>
<tr>
<td>Right to marry and to found a family</td>
</tr>
<tr>
<td>Right to own property</td>
</tr>
<tr>
<td>Right to freedom of thought, conscience and religion</td>
</tr>
<tr>
<td>Right to freedom of opinion and expression</td>
</tr>
<tr>
<td>Right to freedom of peaceful assembly and association</td>
</tr>
<tr>
<td>Right to take part in the government</td>
</tr>
</tbody>
</table>

[^27]: The Progress of Nations
In summary here are the main points to take note of in UDHR:

1. Importance of the UDHR:
   
a. The UDHR is a common standard of achievement for all peoples and all nations.
   b. It urges peoples and governments to educate ALL peoples about their human rights and freedoms.
   c. It calls for securing universal and effective recognition and observance of human rights through progressive national and international measures.
   d. It provides for some limitations to the exercise of human rights.
   e. It recognizes people’s duty to their community.

2. Basic Principles
   
a. Concept of human being and equality
      - every human being is born free and equal in rights and dignity, and endowed with reason and conscience. And thus every human being is expected to act toward other human beings in a spirit of brotherhood/sisterhood.

b. Non-discrimination
   - race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, political status of country or territory are not bases for exception in human rights.

c. Respect and observance
   - respect for all human rights is expected from all human beings
   - universal observance of human rights is achievable through progressive measures

d. Individuals and community
   - the individual is important but meaningful exercise of rights happen in the context of the family, community and in some cases groups.

e. Social and international order
   - everyone is entitled to a social and international order in order that the rights stated in UDHR can be fully realized.

f. Limitations on exercise of rights
   - subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

Specific rights would refer to the articles (Articles 3 -27) in the UDHR as listed earlier.

The concept of “progressive measures” should be carefully noted. It provides an answer to the oft-repeated government excuse of lack of resources in failing to comply with obligations under the human rights instruments. In general, the realization of human rights can be done by stages using whatever available resources are there – this is
so-called progressive realization. Governments are not asked to ensure immediate fulfilment of all rights, but a sincere effort to realize them (alone or with the support of the international community) over a reasonable period of time is expected. This also implies that governments should not be violating human rights at the same time, as it affects the progressive measures.

For purposes of having more comprehensive and relevant discussion of human rights in various subjects at the primary and secondary levels, the Convention on the Rights of the Child (CRC) should be a major reference document.

Using both UDHR and CRC, human rights should be discussed in relation to environment, health, development, social security, among others. Concepts of non-discrimination, participation, due process, government obligation/responsibility/role, and accountability should be part of the discussion as relevant human rights principles.28

The UDHR-CRC combination can be useful in defining education in human rights terms. The UDHR provides that education “shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedom …[and] promote understanding, tolerance, peace and friendly relations between nations and all racial or religious groups.” The CRC provides details about the objective of education. It should be directed to the

• development of the child’s personality, talents, and mental and physical abilities to their fullest potential;
• development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;
• development of respect for the child’s parents, his or her own cultural identity, language, and values; for the national values of the country in which the child is living or the country from which he or she may originate; and for civilizations different from his or her own;
• the preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national, and religious groups and persons of indigenous origin (Article 29 [1] [a, b, c, d]).

Discussing education based on UDHR and CRC provisions would set the stage for the human-rights-oriented teaching/learning process.

**Application of human rights concepts**

It is conceded that the CRC is a long and not so easy to understand document. It mainly speaks of the obligations that States party to the convention have to fulfil. Determining the specific rights can therefore be confusing at certain points.
Fortunately, the CRC has gained much support in many countries in the region that there are examples of the way child rights can be appreciated much more easily and in relation to many issues affecting children.

One can understand child rights in relation to life cycle as shown below:

**Life Cycle and Child’s Rights**

<table>
<thead>
<tr>
<th>Life Cycle</th>
<th>Description</th>
<th>Child’s Rights</th>
</tr>
</thead>
</table>
| Through-out the life cycle | Parental care/support, caring/nurturing family Environment | - To have adequate nourishment  
- To have access to safe water and sanitation  
- To have a clean and safe home and community environment  
- To be safe from hazardous conditions  
- To be safe from any form of violence, abuse and exploitation  
- To be provided with parental care and support |
| Pre-natal period (Unborn) | The period of conception lasting approximately 9 months. A single cell develops into a complex organism with complete brain and behavioral capabilities. Mother’s nourishment, health, wellbeing (physical, emotional, psychological), and safety directly affect the unborn child. Brain development is affected by the mother’s nutrition. | - To be carried to term with proper nutrition and have normal fetal development in the womb of a healthy and properly nourished mother.  
- To be born healthy, well, and wanted. |
| Infancy (0-2 Years)  | From birth to about 24 months. The child is dependent on parents especially the mother for love, nutrition, and stimulation. A loving, nurturing, and supportive parents is needed for survival and development of the child. | - To be registered at birth  
- To be exclusively breast-fed immediately after birth  
- To receive complete and timely immunization from common childhood diseases  
- To be provided with parental care and support |
| Early Childhood (3-5 years) | Child explores the environment of the home and develops interpersonal and socialization skills; psycho-motor development occurs. Parents other care givers enrich the child’s world. | - To experience early childhood care and stimulation for development  
- To avail of free-micro-nutrient supplement |
| Childhood (6-12 years) | Change from home to school changes the child’s perspective and contributes to their development. Schools redirect behavioral patterns through the preferences of teachers and institution’s culture. | - To receive free and compulsory elementary education  
- To avail of open and flexible learning systems  
- To participate in quality and relevant education that is appropriate to the child’s development stage and evolving capacity. |
| Adolescence (13-17 years) | A period of transition and rapid physical changes. The pursuit of independence and identity are preeminent. More and more time is spent outside | - To receive free secondary education  
- To further avail of open and flexible learning systems  
- To further participate in quality and relevant education appropriate to the |
This kind of presentation of child rights emphasizes two important points:
a. It shows how human rights relate to daily life, and to the changing life and environment of the children. Some rights of children are more appropriate in certain stages in life.
b. It provides an example of government policy and program developed using the human rights perspective.

There are also principles governing child rights that should be noted:
- best interest of the child – in realizing the rights of the child, the basic guide is that it should promote the best interest of the children concerned
- participation – children (anyone below 18 years old) should be able to take part in making decisions on matters affecting them in accordance with their level of development and evolving capacity.

In relation to human rights education, a key component is the identification of concrete issues affecting the students in various stages of their life that can be linked to human rights. This exercise can be done at school level through a human rights curricular framework as shown below.

<table>
<thead>
<tr>
<th>Grade level</th>
<th>HR curricular framework</th>
<th>Issues</th>
<th>Human rights concept</th>
<th>Core values</th>
</tr>
</thead>
</table>
| 1           | Self                    | - Malnutrition  
- Parental neglect  
- Domestic violence on women and children  
- corporal punishment at home  
- High death rate of children | - Right to life  
- Right to health  
- Right to protection | - Love and care  
- Family and social protection |
| 2           | Family                  | - Conflict situation  
- Conflict among ethnic groups | - Right to protection  
- Right to seek medical help | - Care and treatment  
- Human dignity |
| 3           | Community               | - Rights of indigenous peoples  
- Right to participate in sustainable development | | - Equality and justice  
- Human dignity  
- Diversity |

This framework is based on the assumption that human rights concepts and issues are more easily integrated into the school curriculum by linking them to values, which are
already defined. A human rights curricular framework is a multi-year, multi-subject overview of the human rights education program in a school. Its contents (issues and human rights concepts) should address the contexts of the students.

 Needless to say, the discussion of local laws, from the constitution to specific-issue legislations, is necessary to apply human rights principles to the particular context of the students. This is also important in discussing what actions are possible on particular issues.

The child rights framework has also been used on pedagogy as the table below demonstrates.

<table>
<thead>
<tr>
<th>A child’s rights</th>
<th>Conditions created by an active learning strategy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Right to express his/her opinion freely and to have that opinion taken into account in any matter or procedure affecting the child (Article 12.1)</td>
<td>Learning situations consist of group, in-pair, individual and whole-class learning. By working in pairs and in groups students can share their opinions. Teacher allows every student to decide what and how learning activities are to be done.</td>
</tr>
<tr>
<td>Right to freedom of thought, conscience and religion (Article 14.1).</td>
<td>Teacher encourages students to express their thoughts, feelings and values in various creative works such as poems, stories, pictures, reports, posters, models, and craft and arts work.</td>
</tr>
<tr>
<td>All rights apply to all children without exception. It is the State’s obligation to protect children from any form of discrimination and to take positive action to promote their rights (Article 2).</td>
<td>Racial, sex and religious discrimination should be prevented. Teacher develops a variety of activities according to students’ individual interests, learning speed, emotional characteristics, learning difficulties, ability to receive information from hearing, seeing or touching.</td>
</tr>
<tr>
<td>Right to protection from interference with privacy, family, home and correspondence, and from libel or slander (Article 16.1).</td>
<td>Teacher creates an atmosphere of respect for privacy, of openness, honesty, heart-to-heart conflict resolution and [avoidance] of backbiting.</td>
</tr>
<tr>
<td>The State shall protect the child from all forms of maltreatment by parents or others responsible for the care of the child and establish appropriate social programs for the prevention of abuse and the treatment of victims (Article 19.1).</td>
<td>Teacher creates an atmosphere of kindness, forgiveness and mutual help, and prevents abuse, the use of swear words and bullying.</td>
</tr>
<tr>
<td>School discipline shall be consistent with the child’s rights and dignity (Article 28.2).</td>
<td>School creates an atmosphere of intrinsically motivated discipline and regulations that do not curb oral, written, facial and bodily expressions.</td>
</tr>
</tbody>
</table>

This table was developed by educators in Indonesia in promoting the use of active learning strategy.31

And for the over-all school system, the child rights framework is best promoted through the child-friendly school system (CFSS) which

- includes everyone and treats them equally – whether girls or boys, from poor or rich families, living nearby or far away, having low or high social status
- addresses the needs of the students – by giving them the best possible education that enhances their knowledge and skills, by using teaching methods and curriculum appropriate to their situation and dignity
• protects their welfare and safety – by making the school facilities safe, does not punish them physically, does not allow bullying
• allows the students to take part in the school activities – allowing children to work together and express themselves through music, drawing, drama and other forms.\textsuperscript{32}

These are the different applications of child rights in the school system both as content and process of teaching and learning. They are not so different from the rights-based approach to education being promoted by UNESCO.

**ESD issues and human rights**

On the whole, discussion on human rights under the ESD umbrella focuses on the "realization" side of the discourse - how to make human rights a reality in the current situation of society. As in the examples shown above on the application of child rights, human rights in general are more easily applied when linked to particular issues. The UNDP's human rights approach to sustainable human development is most relevant in this regard. UNDP focuses on the rights most frequently encountered in its sustainable human development activities, by classifying them as groups of rights.\textsuperscript{33} The groups of rights matched with the issues that they refer to are shown below:

<table>
<thead>
<tr>
<th>Issues</th>
<th>Human rights</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Food and health</td>
<td>• <strong>Rights to food, health, habitat and economic security.</strong> It is the legal obligation of all states and of UN agencies such as the Food and Agriculture Organization, the World Health Organization, the International Labour Organisation and UNDP to promote the progressive realization of these rights through development efforts. Since these are human rights, as well as government obligations, they empower people.</td>
</tr>
</tbody>
</table>
| 2. Land, language and culture | • **Rights of minorities and indigenous peoples.** Among them, rights to maintain languages and cultures and rights of distinct peoples living in distinct regions to self-determined development and control of ancestral lands, which are often the basis of community organization, culture and ways of life.  
  • **Rights to land.** Notably, protection of the rights of those who depend on their lands for their livelihood. These rights are often grounded in customary law, and special processes may be needed to protect them. |
<p>| 3. Environment              | • <strong>Rights to environmental protection.</strong> Rights to food, health, habitat and livelihood depend on environmental protection and the complementary relationships between promoting and protecting human rights and promoting and protecting environments. |</p>
<table>
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<tr>
<th>4. Labor and the workplace</th>
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</thead>
<tbody>
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<td><strong>Rights to work.</strong> This imposes obligations on development planners to promote opportunities for productive employment (through local, self-help efforts as well as private and public investment), reduce risks to people from policies (such as structural adjustment) that create unemployment and adopt training programs that help people (notably the young) become qualified for productive work in a world of changing technologies and economic activities.</td>
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<td><strong>Rights to education.</strong> This covers not only formal schooling but also access to civic knowledge and training (often provided by NGOs) that facilitate people's awareness and exercise of other rights and their effective participation in development.</td>
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<td><strong>Rights of children.</strong> Specifically, these reaffirm the right to life and protection against violence, abuse and neglect; the right to health and social security, education, and rest and leisure; freedom from trafficking in children and protection against child prostitution; and freedom from torture and cruel, inhuman or degrading treatment.</td>
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<td><strong>Rights to equality.</strong> This ensures freedom from discrimination against enjoying the above rights and empowerment of women and groups to organize and demand removal of customs and practices that inhibit equal opportunities to realize the benefits of development.</td>
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<td>8. Rule of law and good governance</td>
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<td><strong>Rights to administrative due process.</strong> These include, for example, rights of access to officials responsible for designing or administering development activities; of access to information and to a fair hearing for people who claim to be threatened or harmed by development projects; and to redress and impose accountability on development actors who disregard the rights of affected people.</td>
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<td><strong>Rights to the rule of law.</strong> These include the rules, procedures and institutions (including courts) that enable people to secure enforcement of all their rights.</td>
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These groupings of rights provide an easier reference to the many human rights issues affecting sustainable development. They also direct us to what can be considered crucial issues in the human rights-development (and also environment) field.

**Final note**

Human rights education in the Asia-Pacific has to relate to its particular cultural context. This is an oft-repeated view expressed by government and civil society. It is thus incumbent upon the human rights educators in the region to base the education process on the cultural milieu of the peoples they relate to. They may need to explore the indigenous language concepts related to human rights as was done in the APCEIU Pacific Region Teacher Training Workshop in relation to Pacific language. They may adopt the principle of drawing on the “rich cultural heritage and diversity in this region including appropriate recognition of family and community values.” They may also evolve “appropriate and effective human rights teaching strategies that build on the liberating elements of indigenous concepts, folk knowledge and cultural practices.”

Culture is best protected and enhanced by use. This is true also for the human right to culture.

This paper is basically a guide to the many initiatives and documentations on human rights/human rights education in the region that are worth applying in ESD. Reinventing the wheel is not necessary when direct use of the existing resources is available.

Properly developed and networked, ESD can be an over-arching educational umbrella that would link all the existing educational initiatives on human rights, development and environment.

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**Endnotes**

1 United Nations General Assembly resolution 41/128 (4 December 1986).
4 This issue came up in the discussion during the South Asia Workshop on Human Rights Education in Schools, organized by HURIGHTS OSAKA in 2005 (December 2005, Delhi).
There are now 17 national human rights institutions/offices established across the Asia-Pacific region, see www.asiapacificforum.net for the list of countries with such institutions/offices.

The reports from the national human rights commissions of Thailand and Malaysia in the recent Roundtable Discussion on "Engaging ASEAN Governments on Human Rights Education" on 23-25 March 2006 held in Bangkok, are recent examples of the problem of misconception of human rights.


MAKABAYAN includes Social Studies, Music, Arts, Physical Education, Technical and Livelihood Education and Values Education.

Osamu Abe describes this course in the following manner: "A course entitled “Period for Integrated Study” (PIS) was introduced in 1998 by the Ministry of Education. This course is mandatory, and follows cross-sectoral and comprehensive studying activities. These studies are related to the life environment of students including topics such as international understanding, information, environment, welfare and health. Each school is able to select the topical content of these studies. PIS was implemented in all primary and secondary schools in 2002. PIS was established to provide children with direct experiences about nature and human relations." in A Situational Analysis of Education for Sustainable Development in the Asia-Pacific Region, revised edition (Bangkok: UNESCO Bangkok, 2005), page 17.

The survey, a project of HURIGHTS OSAKA, was undertaken in India, Japan, the Philippines and Sri Lanka during the 2004-2005 period.


General UN programs on human rights education:
- World Public Information Campaign on Human Rights
- 1993 - Declaration and Programme of Action of the World Conference on Human Rights (Vienna)
- 2004 - World Programme for Human Rights Education

Major UNESCO documents on human rights education:
- 1978 - Recommendations from the UNESCO International Congress on the Teaching of Human Rights (Vienna)
- 1987 - UNESCO International Congress on Human Rights Teaching, Information and Documentation (Malta)
- 1992 - International Forum on Education for Democracy, (Tunis)
- 1994 - Declaration of International Conference on Education (Geneva)
- 1995 - World Plan of Action on Education for Human Rights and Democracy (Montreal)


16 The South Asian Convention on Preventing and Combating Trafficking in Women and Children for Prostitution (January 2002) and the SAARC Convention on Regional Arrangements for the Promotion of Child Welfare in South Asia (January 2002) are now awaiting ratification by the SAARC member-countries.

17 The Association of Southeast Asian Nations (ASEAN) adopted the following documents relating to human rights:

- Jakarta Declaration on Violence against Women in Southeast Asia (13 June 2004)
- Declaration against Trafficking in Persons (29 November 2004)
- Vientiane Action Programme (29 November 2004)
- Declaration on the Establishment of the ASEAN Charter - 11th ASEAN Summit (December 2005).

18 See www.pacificplan.org/tiki-page.php?pageName=The+Pacific+Plan


23 Office of the High Commissioner for Human Rights, op cit., page 3

24 Ibid.


26 UNDP, ibid.

27 Progress of Nations, UNICEF.

28 It would be worthwhile to see Human Rights Lesson Plans for Southeast Asian Schools (Bangkok: 2003) which provides examples of lesson plans that take up various human rights issues in different subjects in the curriculum. They use both UNDHR and CRC provisions.

29 Taken from the Philippine National Strategic Framework Plan for Development for Children [Child 21] (Manila, 2000).

30 Taken from Asia-Pacific Human Rights Information Center, Human Rights Lesson Plans for Southeast Asian Schools (Bangkok: 2003), page 16. The translation and printing of the Khmer, Vietnamese and Bahasa Indonesia versions of this publication were done with the support of UNESCO Bangkok.


32 Taken from Is Your School Child-Friendly? (Philippine Department of Education and UNICEF Manila).

33 UNDP, op cit.
